

REMARKS

Claims 1 and 3-9 remain pending in the application. Claims 1, 5 and 8 have been amended. Reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicants would like to thank the Examiner for withdrawing the finality of the Office Action mailed on March 31, 2005.

Applicants also thank the Examiner for considering all of the documents cited in the Information Disclosure Statement filed March 3, 2005.

In the Office Action, the Examiner rejected claims 1, 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Robinson et al. (U.S. Patent No. 5,315,161) in view of Hikichi et al. (U.S. Patent No. 5,991,889). Applicants respectfully traverse the rejection for at least the following reasons.

In the specification of the present application, Applicants disclose an embodiment that controls a microcomputer in a microcomputer system with a high speed operation mode and a low speed operation mode. According to the disclosed embodiment, the high speed operation mode is switched to the low speed operation mode in response to detecting a power shutdown, determining whether power is recovered within a given time period, and switching to the high speed operation mode in response to determining that the power is recovered within the given time period.

Robinson is directed towards a computer system. In the Office Action, the Examiner acknowledges that Robinson's computer system does not operate in both a high speed operation mode and a low speed operation mode. See page 4 of the Office Action.

Hikichi is directed towards a microcomputer which includes a CPU 2 that sets either one of a high-speed mode and a low-speed mode. See col. 5, lines 1-41. Applicants respectfully submit that Hikichi's microcomputer does not switch from the high-speed mode to the low-speed mode in response to detecting a power shutdown. Nor does Hikichi's microcomputer switch to the high-speed mode in response to determining that power is recovered. Applicants submit that Hikichi merely discloses that the microcomputer switches between the high-speed mode and the low-speed mode based upon whether the microcomputer is reading from a high-speed operation memory or a low-speed operation memory, which differs from the presently claimed invention. See, for example, col. 4, lines 47-61 of Hikichi.

Thus, Applicants respectfully submit that the combination of Robinson and Hikichi, asserted by the Examiner, fails to disclose or even suggest a method for controlling a microcomputer which includes switching from a high speed operation mode to a low speed operation mode in response to detecting a power shutdown, and switching to the high speed operation mode in response to determining that power is recovered, as recited in Applicants' independent claim 1.

For at least these reasons, Applicants respectfully submit that the grounds for the 35 U.S.C. §103(a) rejection of independent claim 1 no longer exist, and respectfully request withdrawal of the rejection, and allowance of independent claim 1.

Dependent claims 3 and 4 are respectfully submitted to be in condition for allowance for at least the same reasons set forth above with respect to independent claim 1.

In the Office Action, the Examiner rejected claims 5-7 under 35 U.S.C. §103(a) as being unpatentable over Robinson et al. in view of Hikichi et al. and further in view of Bilir (U.S. Patent No. 5,923,099). Applicants respectfully traverse the rejection for at least the following reasons.

Bilir is directed towards an intelligent backup controller which performs a graceful shutdown of a processing system upon the loss of main AC power. Applicants respectfully submit that Bilir fails to overcome the deficiencies of Robinson and Hikichi, as discussed above. Specifically, Applicants respectfully submit that the combination of Robinson, Hikichi and Bilir fails to disclose or suggest a method for controlling a microcomputer which includes switching from a high speed operation mode to a low speed operation mode in response to detecting a power shutdown, and switching to the high speed operation mode in response to determining that power is recovered within a given time period, as recited in Applicants' independent claim 5.

For at least these reasons, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of independent claim 5 is improper, and respectfully request withdrawal of the rejection, and allowance of independent claim 5.

Dependent claims 6 and 7 are respectfully submitted to be in condition for allowance for at least the same reasons set forth above with respect to independent claim 5.

In the Office Action, the Examiner rejected claims 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Robinson et al. in view of Hikichi et al., and further in view of Bilir and Fukazawa (Japanese Patent Publication No. HEI 6-067749). Applicants respectfully traverse the rejection for at least the following reasons.

In the Office Action, the Examiner provides only an English language abstract of Fukazawa. With the present Response, Applicants provide an English language machine-translation of the full text of Fukazawa, along with a PTO-1449 Form which lists the translation. Applicants respectfully request that the Examiner indicate his consideration of the translation by initialing the appropriate space on the PTO-1449 Form, and return a copy of the initialed PTO-1449 Form to Applicants with the next Office communication. In this regard, Applicants submit that it is not necessary to submit a fee to ensure consideration of the translation, as the submitted document is a translation of a foreign language document cited by the Examiner, and further, such translation is submitted for the purpose of responding to the Examiner's rejection.

Fukazawa is directed to electrical machinery equipped with a control unit having a clock function. In paragraph 0025, Fukazawa discloses that a first mode setting mode means 11 sets a first mode after detecting a power return. However, Applicants respectfully submit that Fukazawa's electrical machinery does not periodically determine whether power is recovered within a first given time period, or switch to the first mode in response to determining that the power is recovered within the first given time period, as recited in Applicants' independent claim 8.

Applicants discussed above that Robinson, Hikichi and Bilir fail to disclose or suggest switching to a high speed operation mode in response to determining that power is recovered. In view of the above, Applicants further respectfully submit that the combination of Robinson, Hikich, Bilir and Fukazawa also fails to disclose or suggest a method for controlling a microcomputer which includes switching to a high speed operation mode in response to determining that power is recovered within a first given time period, as recited in Applicants' independent claim 8.

For at least these reasons, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of independent claim 8 is improper, and respectfully request the Examiner to withdraw the rejection and allow the claim.

Dependent claim 9 is also submitted to be in condition for allowance for at least the same reasons set forth above with respect to independent claim 8.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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Enclosures: PTO-1449 Form & English language machine-translation of
Japanese Patent No. 06-067749